IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

Crl.Rev.Pet.No. 495 of 2000()

CC NO.1022/1996 ON THE FILE OF JFCM-I, MOOVATTUPUZHA
CRL.A.NO.495/98 ON THE FILE OF IV ADDL.SESSIONS JUDGE, ERNAKULAM

REVN. PETITIONER:

SHAJAN MATHEW, S/O.MATHEW,
POOTHUR PULPARAMBIL HOUSE,
PERINGAZHA, PERUMBALLORE,
MUVATTUPUZHA.

BY ADV. SRI.JOHN JOSEPH(ROY)

RESPONDENTS:
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1. M.V.MATHAI, S/O.UTHUPPU,
MEMADATHIL HOUSE,
MUDAVOOR P.O., VAZHAPPILLY,
MUVATTUPUZHA.

2. THE STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 04/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.2762/2000 IN CRL.R.P.NO.495/2000(B)

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

04/09/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl.R.P.No.495 of 2000

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Dated this the 4th day of September, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a fine of Rs.5,000/- and in default to undergo simple imprisonment for one month. The fine amount if realised was directed to be paid to the complainant as compensation.

2. The counsel for the revision petitioner has only sought for modification of the sentence. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of rupees eighty thousand, to the complainant and in default to undergo simple imprisonment for three months. The revision petitioner is granted three months time to pay the amount of compensation. Revision petitioner/accused shall appear before the Judicial Magistrate of the First Class, Moovattupuzha, on 04/12/2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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K.R.UDAYABHANU, J.

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Crl.R.P.No.495 of 2000

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O R D E R

4th September, 2007